1 2 3 4	Matthew Zimmerman, Esq. (SBN 212423) ELECTRONIC FRONTIER FOUNDATION 454 Shotwell Street San Francisco, CA 94110 Telephone: (415) 436-9333 Facsimile: (415) 436-9993 Email: mattz@eff.org
5	David M. Given, Esq. (SBN 142375) Nicholas A. Carlin, Esq. (SBN 112532) PHILLIPS, ERLEWINE & GIVEN LLP 50 California Street, 35 <sup>th</sup> Floor
7	San Francisco, California 94111 Telephone: (415) 398-0900 Facsimile: (415) 398-0911
8	Attorneys for Defendant-Movant JOHN DOE "STOKKLERK"
10	UNITED STATES DISTRICT COURT
11	NORTHERN DISTRICT OF CALIFORNIA
12	SAN FRANCISCO DIVISION
13	USA TECHNOLOGIES, INC., ) Docket No. CV 09-80275-MISC-SI
14	Plaintiff-Respondent,
15	STIPULATION AND [PROPOSED] ORDER RE SETTLEMENT AND DEADLINE FOR ATTORNEY'S FEES
16	JOHN DOE, a.k.a. "STOKKLERK"  MOTION
17	Defendant-Movant. Local Rules 6-2, 54-5
18	
19	
20	
21	
22	STIPULATION OF THE PARTIES
23	
24	WHEREAS, the parties through their respective attorneys have agreed in principle to settle
25	the matter and intend to dismiss with prejudice any further proceedings between USA
26	
27	
28	CV 09-80275-MISC-SI STIPULATION AND [PROPOSED] ORDER

Technologies, Inc. ("USAT") and JOHN DOE, a.k.a. "STOKKLERK" ("STOKKLERK") in this and the related Pennsylvania federal action; and

WHEREAS, the parties have exchanged drafts of a settlement agreement and expect and intend to have that document completed and executed in the next seven to ten days; and

WHEREAS, the parties agree that the deadline for Defendant STOKKLERK to move for his costs and attorney's fees in this proceeding should be continued for one week, from Tuesday, June 1, 2010 to Tuesday, June 8, 2010;

NOW, THEREFORE, the parties stipulate and agree to extend the aforementioned deadline and respectfully request the Court to so order in accordance with Local Rules 6-2 and 54-5.

DATED: May

Matthew Zimmerman, Esq. (SBN 212423) ELECTRONIC FRONTIER

**FOUNDATION** 454 Shotwell Street

San Francisco, CA 94110

Telephone: (415) 436-9333 Facsimile: (415) 436-9993

Attorneys for Defendant-Movant JOHN DOE "STOKKLERK"

DATED: May \_ , 2010

Ву

David M. Given, Esq. (SBN 142375)
PHILLIPS, ERLEWINE & GIVEN LLP
50 California Street, 35<sup>th</sup> Floor San Francisco, California 94111

Telephone: (415) 398-0900 Facsimile: (415) 398-0911

Attorneys for Defendant-Movant JOHN ĎOE "STOKKLERK"

PHILLIPS, ERLEWINE & GIVEN LLP 50 California Street, 35th Floor San Francisco, CA 94111

DATED: May 28, 2010 Hoy R. Williams, Esq. (SBN 84156) SCHIFF HARDIN LLP One Market, 32<sup>nd</sup> Floor San Francisco, California 94105 Telephone: (415) 901-8700 Facsimile: (415) 901-8701 Attorneys for Plaintiff-Respondent USA TĚCHNOLOGIES, INC. **ORDER** Upon the foregoing application, for good cause and in accordance with the applicable Local Rules, IT IS SO ORDERED. 

CV 09-80275-MISC-SI

STIPULATION AND [PROPOSED] ORDER

PHILLIPS, ERLEWINE & GIVEN LLP 50 California Street, 35th Floor San Francisco, CA 94111 (415) 398-0900